

SEP 20 2004

PTO/SB/21 (02-04)

Approved for use through 07/31/2006. OMB 0651-0031

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number Filing Date First Named Inventor Art Unit Examiner Name	10/063,803 May 15, 2002 Honeyman 2873 Choi, William C.		
Total Number of Pages in This Submission	5	Attorney Docket Number	H-318

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <div style="border: 1px solid black; padding: 2px; margin-top: 5px;">[See Remarks Box below]</div>
<div style="border: 1px solid black; padding: 2px; font-size: small;">Remarks</div> <p>Issue Fee Transmittal (x2) Request for Action on Correction of Small Entity Status (2 pp.)</p>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	David J. Cole		
Signature			
Date	September 16, 2004		

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	David J. Cole		
Signature			Date
			September 16, 2004

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No.: 10/063,803
Confirmation No.: 2740
Application of: Honeyman et al.
Filed: May 15, 2002
Group Art Unit: 2873
Examiner: Choi, William C.

Attorney Docket No.: H-307
Customer No.: 26245

Cambridge, Massachusetts
September 16, 2004

REQUEST FOR ACTION ON CORRECTION OF SMALL ENTITY STATUS

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

Sir:

Applicant is paying herewith the Issue Fee for the above application *at the large entity rate*, together with the associated publication fee and fee for advance order for copies. However, before issuing this patent, the Office is respectfully requested to take action on certain papers previously filed by the undersigned attorney to correct an erroneous claim to small entity status.

On July 19, 2002, the undersigned attorney filed (simultaneously with filing of a response to the Notice to File Missing Parts) a paper entitled "WITHDRAWAL OF CLAIM TO SMALL ENTITY STATUS UNDER 37 CFR 1.28(c) AND PAYMENT OF FEE DEFICIENCY". Subsequently, on July 22, 2002, the undersigned attorney filed a further paper entitled "CORRECTION OF WITHDRAWAL OF CLAIM TO SMALL ENTITY STATUS UNDER 37 CFR 1.28(c) AND PAYMENT OF FEE DEFICIENCY". For some reason, both these papers appear together in the electronic File Wrapper of this

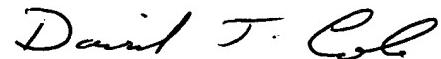
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application as a single six-page paper denoted "Miscellaneous Incoming Letter" dated July 22, 2002.

Neither the Office Action dated October 14, 2003, nor any other communication from the Office makes any reference to the two aforementioned papers. Furthermore, although the two aforementioned papers together in effect request that the Office charge the sum of \$1657 to the assignee's Deposit Account No. 501162 in order to correct a good faith erroneous claim to Small Entity Status at the time this application was filed, a review of the Statements for this Deposit Account fails to show any charge corresponding to that requested in the two aforementioned papers.

Accordingly, in order to avoid any possibility that the patent to be issued on this application might be held invalid on the grounds of an incorrect claim to small entity status, it is respectfully requested that the Office now take action on the two aforementioned papers so that this application is given large entity status *ab initio*.

Respectfully submitted



David J. Cole
Registration No. 29629

E INK Corporation
733 Concord Avenue
Cambridge MA 02138

Telephone (617) 499-6069
Facsimile (617) 499-6200
E-mail dcole@eink.com